

Serial No. 10/849,056
Amendment
Responsive to Office Action dated January 9, 2008

KY-202

REMARKS

Pending Claims

Claims 1, 4-6, and 9-12 are pending. Claims 2, 3, 7 and 8 have been canceled without prejudice or disclaimer. Claims 1, 4, 6 and 9 have been amended. No new matter has been added.

Information Disclosure Statement

Applicants request reconsideration of the JP references crossed out by the Examiner as an indication that these documents have not been considered.

Applicants provide an explanation of the relevance of each of the crossed out documents in the Specification on pages 1 and 2. Further, applicants submit herewith an English language Abstract for JP 11-112239 and JP-B-6-11090 (equivalent to JP-A-02-137506). No English language Abstract is available for JP(U)-A-1-67818, and therefore a statement of relevance is provided in the Information Disclosure Statement submitted concurrently herewith for this reference. In view of the statement of relevance provided in the Specification (in compliance with MPEP 609.04(a)(III)) and the additional statement of relevance provided in the Information Disclosure Statement, as well as the English language Abstract provided for JP '090 and JP '239 references, which forms the statement of relevance that is required, applicants assert that the documents should be considered by the Examiner to the extent possible from the information submitted. Return of PTO-1449 Form to applicants with the Examiner's initials indicating that these references have been considered is respectfully requested.

Serial No. 10/849,056

KY-202

Amendment

Responsive to Office Action dated January 9, 2008

Applicants additionally cite on the PTO-1449 Form JP-A-2003-60442, JP-B-84085, JP(U)60-9312, JP-A-05-175738, and JP-A-01-212906. Each of these documents is cited in an Office Action in a Japanese corresponding application dated January 4, 2006. Further, an English language Abstract is provided for each of these references except for JP(U) 60-9312. A statement of relevance for this document is provided in the Information Disclosure Statement submitted concurrently herewith. The English language Abstract for each of the documents that has been submitted is for complying with the required statement of relevance. Accordingly, each of these documents should be considered by the Examiner.

Claim Rejections Under 35 U.S.C. §112

Claims 3-5 and 9-12 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 3 and 8 have been canceled without prejudice or disclaimer and the limitations of claims 3 and 8 have been added to claims 1 and 6, respectively. The change suggested by the Examiner has been made in the amendments to claims 1 and 6.

Claim Rejections Under 35 U.S.C. §103

Claims 1, 2, 6 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Heithoff, U.S. Patent No. 6,346,854, in view of Ishida , U.S. Patent Publication No. 2002/0075072. Applicants request reconsideration of the rejection for the following reasons.

Serial No. 10/849,056

KY-202

Amendment

Responsive to Office Action dated January 9, 2008

Claim 1 has been amended to include the limitations of claims 2 and 3 and claim 6 has been amended to include the limitations of claims 7 and 8. Claims 2, 3, 7 and 8 have been canceled without prejudice or disclaimer. As a result of the amendments to claims 1 and 6, each of these claims should be allowed and therefore the rejection under 35 U.S.C. §103(a) should be withdrawn.

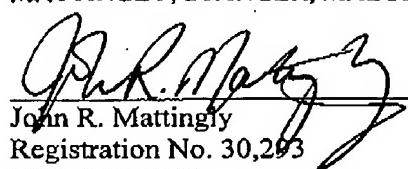
Claims 4 and 9 have been rewritten into independent form. Accordingly, pending claims 1, 4-6 and 9-12 should now be found to be allowable.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.


John R. Mattingly
Registration No. 30,293
(703) 684-1120

Date: May 9, 2008